

State of South Dakota

EIGHTY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2006

400M0338

HOUSE BILL NO. 1029

Introduced by: The Committee on Agriculture and Natural Resources at the request of the
Department of Game, Fish and Parks

1 FOR AN ACT ENTITLED, An Act to prohibit the use of crossbows for fishing except by
2 certain persons having a disability and to grant the Game, Fish and Parks Commission rule-
3 making authority to implement exceptions.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. That § 41-12-12 be amended to read as follows:

6 41-12-12. ~~Spears, spear guns, bows and arrows, snaghooks, setlines, hoop nets, traps,~~
7 ~~artificial lights, and other devices~~ No spear, spear gun, bow and arrow, snaghook, setline, hoop
8 net, trap, artificial light, or other device except hook and line may ~~not~~ be used for fishing except
9 as expressly provided by ~~Game, Fish and Parks Commission rule~~ rules promulgated by the
10 Game, Fish and Parks Commission. No crossbow may be used for fishing except by persons
11 having a disability as defined and provided by rules promulgated by the commission. The
12 commission shall promulgate rules pursuant to chapter 1-26 to establish the criteria, eligibility,
13 and procedure for issuance of a permit or permission authorizing the use of a crossbow.
14 However, landing nets, gaffs, and similar devices may be used as an aid in landing fish which
15 are in the process of being caught by legal methods. ~~A violation of this section~~ Use of a device



1 prohibited by this section is a Class 2 misdemeanor.